

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff/Appellee,

v.

Case No. 95-CR-204

LEONEL RUIZ,

Defendant/Appellant.

DECISION AND ORDER

Leonel Ruiz (“Ruiz”) is appealing this Court’s decision denying his request for a reduction of sentence pursuant to 18 U.S.C. § 3582. Before the Court is Ruiz’s motion for leave to proceed on appeal *in forma pauperis* (IFP).

Section 1915 of Title 28 of the United States Code allows a party to appeal IFP if he provides an affidavit that establishes an inability to pay the requisite fees associated with his action. 28 U.S.C. § 1915. In the present instance, Ruiz has failed to supply the information requested by the Seventh Circuit’s IFP affidavit. That form clearly instructs prisoners to “attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts.” (Aff. Accompanying Mot. for Permission to Appeal In Forma Pauperis 2.) Ruiz has not attached

these statements to his affidavit. Ruiz has also failed to identify those issues that he is appealing, though that information is requested on the affidavit form.

Ruiz's omissions may be a matter of oversight. Thus, the Court will grant him a period of time within which to supply the requested information. If Ruiz does not provide the missing information within that time, his motion will be denied.

_____NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY ORDERED THAT:

No later than January 2, 2006, Ruiz shall submit a statement certified by an appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in his institutional accounts. If Ruiz has multiple accounts, he should submit a certified statement for each account. Also, no later than January 2, 2006, Ruiz must identify the issues that he is raising on appeal. Failure to provide the above information by January 2, 2006, will result in the denial of Ruiz's motion to appeal in forma pauperis.

Dated at Milwaukee, Wisconsin this 9th day of December, 2005.

BY THE COURT

s/ Rudolph T. Randa

Hon. Rudolph T. Randa
Chief Judge